

REMARKS

Claims 1-2, 5, 7-12, 15 and 17-21 stand rejected under 35 U.S.C. 112 as failing to comply with the written description requirement. In response, Applicants amended the claims to delete the claim language directed to this feature, and request withdrawal of the rejection on this basis.

Claims 1-2, 9-12 and 20-21 stand rejected under 35 U.S.C. 102(e) as being anticipated by Uchiike et al. (U.S. Patent No. 6,236,527 B1). In response, Applicants amended independent claims 1 and 11 to clarify when a gradual change in the driving current occurs, and respectfully traverse the rejection as it applies to the amended claims.

As amended, independent claims 1 and 11 now clarify that a gradual change in the driving current occurs at least during arbitrary times, other than a time when a speed control operation is carried out, and that the speed control operation controls a speed of a head when the head is loaded to a desired track of the recording medium. The arbitrary times also include a time when the alarm is released in a parking area by the head feet operation and/or when the arm is pushed in a parking area as the unload operation is completed. These amendments are fully supported by Applicants' disclosure on pg.17, lns. 17-34 and FIGs. 15A and 16B.

In the Office Action, the Examiner asserts that Uchiike shows a driving current undergoing a gradual change during a loading operation represented by element C1 in FIG. 4(a) and col. 6, lns. 10-14, and also a driving current undergoing a gradual change during an

unloading operation as represented by element C2 in FIG. 4(b) and col. 6, lns. 21-24. Applicants respectfully submit that this interpretation of the Examiner is incorrect for the following reasons.

First, Uchiike clearly describes in col. 6, lns. 5-14 that the release from the parking area during the loading operation is made by a pulse current portion P1, and that C1 denotes a velocity-controlled current portion. This velocity-controlled current portion C1 is made up of parts C11, C12 and C13 shown in FIG. 4(a), and the corresponding arm positions are indicated by 6b, 6c and 6d in FIG. 2(b). Accordingly, the release of the head from the parking area during the loading operation is not made by the velocity-controlled current portion C1, but is actually made by the pulse current portion P1.

Similarly, as may be seen from FIG. 4(b) and understood from the corresponding description in col. 6, lns. 18-26 of Uchiike, the current portion provided in the parking area during the unloading operation is not made by the velocity-controlled current portion C2, but is instead made by the pulse current portion P2.

Second, Uchiike fails to disclose or suggest that a gradual change in a driving current occurs at least during arbitrary times, other than a time when a speed control operation is carried out, as now recited in the amended claims. For these reasons, Applicants respectfully requested withdrawal of the §102(e) rejection of claims 1-2, 9-12 and 20-21.

Claims 5, 7-8, 15 and 17-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Uchiike in combination with one of Huang et al. (U.S. Patent No.

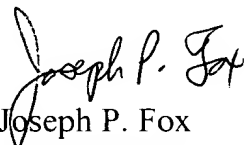
6,583,964 B1), Phan et al. (U.S. Patent No. 5,760,992), or Koizumi et al. (U.S. Patent No. 5,982,570). Applicants traverse the rejection for the reasons recited above with respect to the §102 rejection of independent claims 1 and 11.

Since claims 5, 7-8, 15 and 17-19 ultimately depend upon claims 1 and 11, they necessarily include all of the features of their associated independent claims, plus other additional features. Thus, Applicants submit that the §103 rejections of these claims have also been overcome for the same reasons mentioned above to overcome the rejections of independent claims 1 and 11, and also because Huang, Phan, and Koizumi fail to overcome the deficiencies of Uchiike. Applicants respectfully request that this §103 rejection of claims 5, 7-8, 15, and 17-19 also be withdrawn.

For all of the foregoing reasons, Applicants submit that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By: 
Joseph P. Fox
Registration No. 41,760

November 14, 2005

300 South Wacker Drive, Suite 2500
Chicago, Illinois 60606
(312) 360-0080
Customer No. 24978